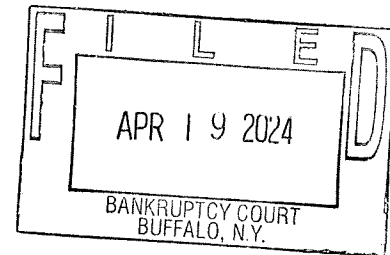


John R. Quain / AB714 Doe
3094 Small Canyon Dr.
Highland, Ca. 92346
pPh.805 330 4213

4/15/2024

Hon. Judge Carl Bucki
R.H. Jackson Courthouse
2 Niagara Square
Buffalo N.Y. 14202



Dear Judge Bucki,

A Matter Standing:

This responsive proposal addresses violations of due process resulting from Attorney Anderson's emailed proposal dated March 21st 2024.

The court clerk's misapplication of Standing as cause for withholding motions.

The terms Sisters, nuns. Independent Order all refer to the Sisters of Saint Francis of Penance and Charity excepting the one example of the Carmelites as recognized Independent Order.

A party cannot be deprived of a right they did not have to begin with.

Fact, I have been unsuccessful on a number of occasions in bringing to the court's attention relevant facts based on the clerk's misapplication of Standing. A determination of **STANDING** between the parties is beyond the scope of a clerk's authority. The record shows the clerk failed to differentiate between an interested party which can be anyone and a party of interest afforded standing, interest in the outcome alone does grant standing it is an issue decided by the facts.

The Independent status of the Sisters of St. Francis was long established before the current controversy. The dioceses acknowledged there are Independent Orders within the dioceses the Carmelite Order is an example. In their zeal to maximize their advantage the attorneys for all parties erroneously included the sisters into the massive bankruptcy litigation. The Roman Catholic Church is a theocratic State the Pope dictates the status of its numerous institutions. Attorneys cannot haphazardly include parties into suits simply because they sound like or appear to be or seem to be related to an institution it requires a factual basis in law. The attorneys for the bishop/nuns, Survivors and my former attorney all collectively assumed {group think} the nuns were creatures of the dioceses when in fact they are not. Any representation associated with the Survivors was terminated by counsel ending its representation of Quain

For obvious reasons it would be inappropriate for a clerk to judge their own actions. Only Judge Bucki or an independent third party must determine if withholding my previous motions and or this proposal from the Court was or is a violation of my due process rights based on the putative rights of others.

The question is whose rights are violated by the Court requesting Counsel for the Nuns to state for the record their status relative to the dioceses. See attached proposal of Jeff Anderson and Assoc.

1. Counsel for attorney Anderson emailed Quain on March 21st notice of a proposed Order with a ten-day period to file objections. Counsel neglected to provide proof of service. Quain responded to the email in kind and filed a response with the clerk. Quain's response was blocked from the Court for failing to provide Proof of Service subjecting only Quain to a strict standard of compliance.

The least burdensome legitimate method of resolution is the Court or it's surrogate simply write a letter to counsel to the Sisters of St. Francis requesting clarification of their status within the dioceses. The confirmation of their independence establishes New Yorks jurisdiction subject to New York Rules which allow the court to act upon such a request without a procedural motion {New York v Trump, Weisselberg 2024.} The judge unquestionably has the authority to make such a request of the nun's counsel. It defies reason and logic to say establishing the truth deprives someone of rights or process. There are no ethical restraints from asking the nuns counsel to respond to this query thus avoiding the need for an evidentiary hearing. I believe two trite shopworn clichés apply in this case "justice delayed is justice denied" over sixty years and counting while the bishops spend obscene amounts avoiding responsibility and the time worn "in the interest of justice". Do members of the legal community engage in negotiations resulting in the stipulation of facts as a routine matter how is this different does this not advance the pursuit of justice and the efficiency of the Court. The government dictating the status of various Orders of the Roman Catholic Church violates the First Amendment separation of church and State and infringes on the church's bureaucratic prerogatives.

Exhibit A: The Sisters of St. Frances are an Independent Order legally separate and apart from the dioceses.

Exhibit B: Former Counsels Emailed **Proposal** sans proof of service.

Exhibit C: Proposed letter to attorney for nuns.

I request that all documents presented to the court by Quain be maintained regardless of having met legal standards or requirements.

This is not a motion rather a Proposal in response to the Proposal offered by email from former Counsel regarding formal separation of representation in which we are in agreement conditioned upon my response being reviewed by Judge Bucki or a neutral party of equal standing to adjudicate.

Respectfully, John Quain

Exhibit A



Asian Province

Most Holy Trinity Province

Jl.Kawi 19

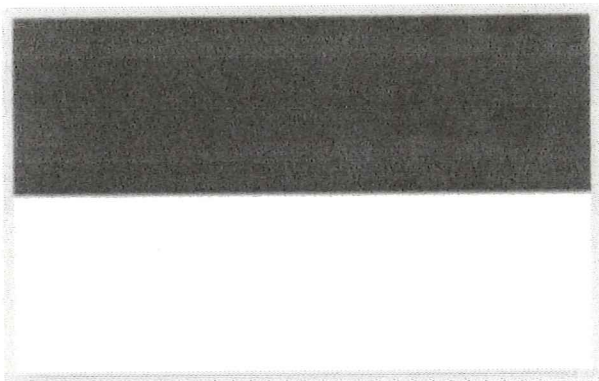
Semarang 50231 Indonesia

Tel: [+62] 24 831 5110

Fax: [+62] 24 850 4425

Email: sekretariatosf@gmail.com

<https://www.osfsemarang.org>



General Council

Suore Francescane della Penitenza e Carità

Casa Generalizia

Via Cassia 870

00189 Roma,

Tel: (39) 06 332 48773



SISTERS OF ST. FRANCIS

DENVER, COLORADO

≡ MAIN MENU



Sisters of St. Francis of Penance and Christian Charities Provinces & Communities

- North American Provinces
- European Provinces
- South American Provinces
- Asian Province
- General Council

North American Provinces

Holy Name Province

4421 Lower River Rd.

Stella Niagara, NY 14144

Tel: 716-754-4311

Fax: 716-754-7657

<http://www.stellaosf.org>

Sacred Heart Community

5314 N. Columbine Rd.

Denver, Colorado 80221

Tel: 303-458-6270

Fax: 303-477-1405

www.sacredheartprovince.franciscanway.org

St. Francis Province

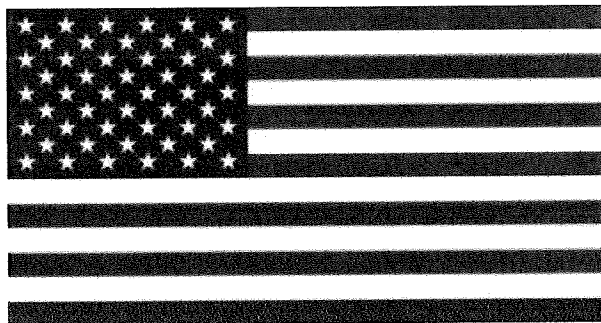
P.O. Box 1028

Redwood City, CA 94064

Tel: 650-369-1725

Fax: 650-369-0845

Website coming soon!



Mission of the North American Provinces:
Chiapas Mission, Palenque

Casa Franciscana

Apartado Postal #88

Prol. Velasco Suarez

Colonia Nuevo Belen

Palenque, Chiapas

Mexico, C.P. 29960

Tel: [+011] 521 916 108 2259

Tel: [+011] 521 916 110 5312

Casa Nantic Magdalena

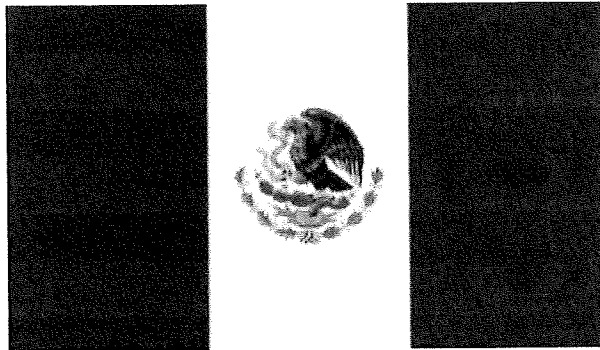
Apartado Postal #30

Calle Vincente Guerrero

Colonia Parque de Ferria

Palenque, Chiapas

Mexico, C.P. 29960
Tel: [+011] 521 916 124 1048



European Provinces

Divine Province

*Postbus 3018
6093 ZG Heythuysen
The Netherlands
Tel: [+31] 475 783 500
Email: secretariaat@franciscanessen.nl*



Christ the King Province

*Provinzialat de Franziskanerinnen
Klosterstr. 22
59348 Lüdinghausen, Germany
Tel: [+49] 2591 234 333
Fax: [+49] 2591 234 300
Email: sekretariat@franziskanerinnen-lh.de
<http://www.franziskanerinnen-luedinghausen.de>*

Mary Immaculate Province

Insel Nonnenwerth/Rhein

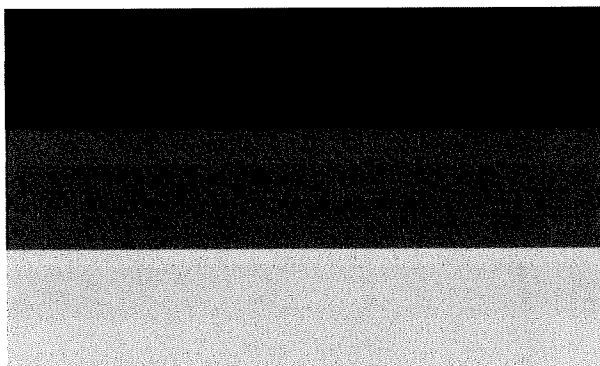
53424 Remagen, Germany

Tel: [+49] 2228 6009 330

Fax: [+49] 2228 6009 333

Email: archiv@nonnenwerth.org

<https://www.nonnenwerth.de/>



South American Provinces

Sacred Heart of Jesus Province

Av. Mauá, 980 Anexo A – SEDE

Bairro São José

93040-024 São Leopoldo/RS, Brazil

Tel: [+55] 51 3592 1676

Email: secretaria@deuscuida.com

<https://www.deuscuida.com>

Immaculate Heart of Mary Province

Av. Nossa Senhora Medianeira, 1273

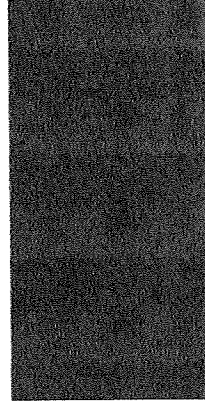
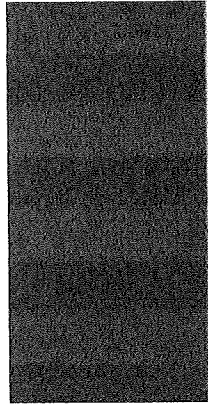
Caixa Postal: 4012/97015-970

97060-003 Santa Maria, RS, Brazil

Tel: [+55] 55 3220 5504

Email: secretaria@ifrapec.org.br

<https://www.ifrapec.org.br>



Mission of the General Council

Saint Clare International Mission

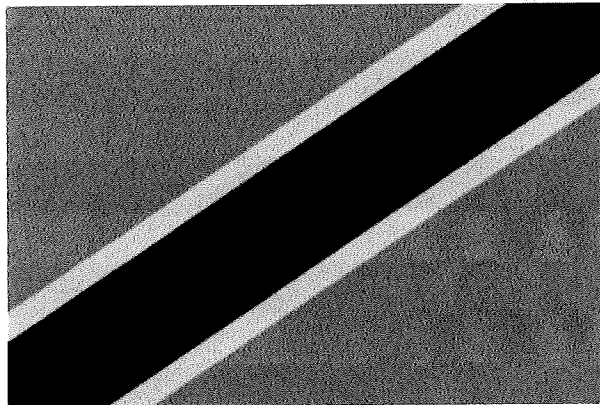
Sisters of St. Francis of Penance and Christian Charity

P.O. Box 11460

Mwanza, Tanzania

East Africa

Tel: [+255] 622 918 740



©2021 Sisters of St. Francis of Penance & Christian Charity
Sacred Heart Community, Denver, CO

CONTACT US

Exhibit C

Hon. Judge Carl Bucki
R.H. Jackson Courthouse
2 Niagara Square
Buffalo N.Y. 14202

Donna L. Burden, Esq.
605 Brisbane Building 403 Main Street Buffalo, New York 14203
(716) 849-6800 dlb@bhhattorneys.com

Dear Counsel,

Please confirm the status of the Sisters of Saint Francis of Penance and Chairty residing in the dioceses of Buffalo. Are the Sisters an Independent Order of Nuns sanctioned by the Vatican or are they creatures of and controlled by the dioceses? Your cooperation is appreciated in facilitating the efficient operation of the Court.

Thank You